

Amendment No. 372

Assembly Amendment to Assembly Bill No. 447	(BDR 22-914)
Proposed by: Assembly Committee on Government Affairs	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

HAC/MSM



Date: 4/15/2007

A.B. No. 447—Creates an advisory bistate commission to study and make recommendations concerning various environmental and land-use issues. (BDR 22-914)



ASSEMBLY BILL NO. 447—ASSEMBLYMAN MORTENSON

MARCH 19, 2007

Referred to Committee on Government Affairs

SUMMARY—Creates an advisory bistate commission to study and make recommendations concerning various environmental and land-use issues. (BDR 22-914)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to cooperative agreements; creating an advisory bistate commission to study various environmental and land-use issues that are common to the areas of ***Nye County, Nevada***, Clark County, Nevada, Inyo County, California, and San Bernardino County, California , and make recommendations to certain governing bodies; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill creates an advisory bistate commission to study various environmental and land-use issues that are common to the areas of ***Nye County, Nevada***, Clark County, Nevada, Inyo County, California, and San Bernardino County, California , and make recommendations to certain governing bodies. The advisory commission is modeled loosely on the Advisory Planning Commission of the Tahoe Regional Planning Agency.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 277 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. *As used in sections 2 to 9, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

Sec. 3. "Commission" means the ~~(Tricounty)~~ ***Mojave Desert Advisory Commission established pursuant to section 6 of this act.***

Sec. 4. "Region" includes:

1. ***Nye County, Nevada;***

2. ***Clark County, Nevada;***

~~(2-)~~ **3.** ***Inyo County, California; and***

~~(2-)~~ **4.** ***San Bernardino County, California.***

Sec. 5. ***It is found and declared that:***

1 1. The natural resources of the region are threatened with deterioration or
2 degeneration, which endangers the natural beauty and economic productivity of
3 the region.

4 2. The public and private interests and investments in the region are
5 substantial.

6 3. The region exhibits unique environmental and ecological values which
7 are irreplaceable.

8 4. By virtue of the special conditions and circumstances of the region's
9 natural ecology, developmental pattern, population distribution and human
10 needs, the region is experiencing problems of resource use and deficiencies of
11 environmental control.

12 5. Environmental and land-use issues in the region, including, without
13 limitation, the health and continued viability of aquifers and the construction and
14 maintenance of roadways, are not amenable to being addressed successfully by
15 policies that are limited to local scope.

16 6. Increasing urbanization is threatening the ecological values of the region
17 and threatening the public opportunities for use of the public lands.

18 7. Maintenance of the social and economic health of the region depends on
19 maintaining the significant scenic, recreational, educational, scientific, natural
20 and public health values of the region.

21 8. There is a public interest in protecting, preserving and enhancing these
22 values for the residents of the region and for visitors to the region.

23 9. Responsibilities for providing recreational and scientific opportunities,
24 preserving scenic and natural areas, and safeguarding the public who live, work
25 and play in or visit the region are divided among local governments, regional
26 agencies, the states of California and Nevada, and the Federal Government.

27 10. In order to preserve the scenic beauty and outdoor recreational
28 opportunities of the region, there is a need to ensure an equilibrium between the
29 region's natural endowment and its man-made environment.

30 11. There is a need for a regional voice to study relevant issues and make
31 recommendations for the betterment of the region.

32 Sec. 6. 1. In order to enhance the efficiency and governmental
33 effectiveness of the region, the ~~Tricounty~~ Mojave Desert Advisory Commission,
34 representing ~~Clark County~~ Nye and Clark Counties, Nevada, and Inyo and San
35 Bernardino Counties, California, is hereby established with the power to study
36 the pertinent issues in the region and make recommendations to the relevant
37 governing bodies relating to the Commission's findings.

38 2. The issues in the region to be studied by the Commission include, without
39 limitation:

40 (a) Water.

41 (b) Transportation and traffic.

42 (c) Zoning and land-use planning.

43 (d) Air quality and pollution.

44 (e) The preservation of wildlife habitats.

45 (f) Generation of energy.

46 (g) Any other issues that the Commission determines are common among the
47 areas of the region.

48 Sec. 7. 1. The Commission consists of ~~13~~ 8 members as follows:

49 (a) ~~Three members appointed by the Majority Leader of the California~~
50 ~~Senate from among persons knowledgeable in one or more of the areas of energy,~~
51 ~~the environment, land use, transportation, water or wildlife. At least one such~~
52 ~~person must reside in the region.~~

~~(b) Three members appointed by the Speaker of the California Assembly from among persons knowledgeable in one or more of the areas of energy, the environment, land use, transportation, water or wildlife. At least one such person must reside in the region.~~

~~(c) Three members appointed by the Majority Leader of the Nevada Senate from among persons knowledgeable in one or more of the areas of energy, the environment, land use, transportation, water or wildlife. At least one such person must reside in the region.~~

~~(d) Three members appointed by the Speaker of the Nevada Assembly from among persons knowledgeable in one or more of the areas of energy, the environment, land use, transportation, water or wildlife. At least one such person must reside in the region.~~

~~(e) A member of the general public who resides in the region, appointed by the governor of the state in which he resides. In odd-numbered years, the member must be a resident of the State of California. In even-numbered years, the member must be a resident of the State of Nevada.~~ One member appointed by the Board of County Commissioners for Nye County, Nevada, who is a resident of the County and resides within 20 miles of the border between Nevada and California;

(b) One member appointed by the Board of County Commissioners for Clark County, Nevada, who is a resident of the County and resides within 20 miles of the border between Nevada and California;

(c) One member appointed by the Board of Supervisors for Inyo County, California, who is a resident of the County and resides within 20 miles of the border between Nevada and California;

(d) One member appointed by the Board of Supervisors for San Bernardino County, California, who is a resident of the County and resides within 20 miles of the border between Nevada and California;

(e) Two members appointed by the Governor of Nevada, at least one of whom is a hydrologist; and

(f) Two members appointed by the Governor of California, at least one of whom is a hydrologist.

Each person appointed pursuant to this subsection must be knowledgeable in one or more of the areas of energy, the environment, land use, transportation, water or wildlife. No person appointed pursuant to this section may be an elected public officer of a city, county or state government at the time of appointment.

~~Except as otherwise provided in this subsection, the~~ The term of each member is 4 years. ~~The term of the member of the general public described in paragraph (e) is 1 year.~~ Any vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term. A member may be reappointed to the Commission.

2. The Commission shall elect from its own members a Chairman and a Vice Chairman, whose terms of office must be 1 year and who may be reelected. If a vacancy occurs in either office, the Commission shall fill such vacancy for the unexpired term.

3. ~~All recommendations considered by the Commission relating to the Commission's findings must be transferred to the relevant governing bodies regardless of whether a recommendation is supported by a majority of the members of the Commission. constitutes a quorum for the transaction of the business of the Commission. A majority vote of the quorum present is required to take action with respect to any matter.~~

Sec. 8. The Commission shall establish and maintain an office within the region, and for this purpose, the Commission may rent or own property and

1 *equipment. Every book or record of the Commission which is of such nature as to*
2 *constitute a public record under the law of either the State of California or the*
3 *State of Nevada must be open to inspection and copying during regular office*
4 *hours.*

5 **Sec. 9.** *Each authority charged pursuant to the provisions of sections 2 to*
6 *9, inclusive, of this act or by the law of either state with the duty of appointing a*
7 *member of the Commission shall, by certified copy of its resolution or other*
8 *action, notify the Secretary of State of its own state of the action taken.*

9 **Sec. 10.** This act becomes effective on the date on which all members have
10 been appointed to the ~~Tricounty~~ Mojave Desert Advisory Commission by their
11 respective appointing authorities.